



Centennial School District R-1

P.O. Box 350, San Luis, CO 81152

(719) 672-3691

Angela Montoya, Superintendent

Cynthia S. Devereaux, President
Julio F. Madrid, Secretary/Treasurer
Richard Romero, Member

Charles (Chuck) Manzanares, Vice President
Theresa K. Maes, BOCS Representative

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

September 22, 2001

"In the matter of: Request for Review by Centennial School District R 1 of Decision of Universal Service Administrator"

USAC Application Number	234281
Funding Year	2001-2002

RECEIVED

SEP 25 2001

FCC MAIL ROOM

Reference CC Docket Nos. 96-45 and 97-21.

Dear Commissioners,

1. We represent the Centennial School District R 1 on E-rate matters. Our interest in the matter presented is to ensure the best educational opportunities for Kindergarten through twelfth grade students of Centennial School District R 1, in San Luis, Colorado. This is a poor and very rural community. To the end of maximizing the limited educational funds we have available, we seek and are legally entitled to access Universal Service funding for our basic telecommunications services. At issue is \$34,000, and it is important to us. Associated with the school district is a consultant who attempts to help our schools access the funds available through the E-rate program.

2. Full statement of relevant material facts with supporting affidavits and documentation.

On August 27, 2001 our school received a letter of Decision on Appeal from the USAC Administrator. Our appeal was rejected because their records showed that "your appeal was received more than 30 days after the date your Funding Commitment Decision Letter was issued." The date of the Certification Rejection Letter was July 23, 2001. The date the Appeal was Received was August 23, 2001. The letter from the USAC Administrator says: "If you wish to continue this process, you may submit a new appeal stating the impediment to your filing your appeal within the original time, to the FCC at the following address". These relevant facts will therefore be directed toward impediments to filing within the original time.

The first and most significant impediment is that the events described occurred in the middle of the summer, when everyone was on vacation at varying times, and when very small

rural schools are staffed at minimum levels. A simultaneous change in staffing exacerbated our situation greatly.

The past Technical Coordinator who had been responsible for E-rate, left the school about May 25th, 2001. The Superintendent he had worked for left unexpectedly near the end of June, 2001. We have an E-rate consultant, Terry Parrish, who lives about 300 miles away and was essentially only known by the two who had left.

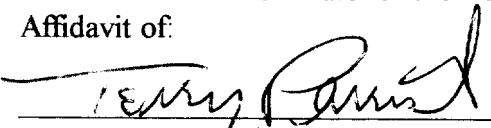
Ms. Angela Montoya came on board as Superintendent on July 2nd. She came from another District, and this is her first time in the position of School Superintendent. She had no transition from the past Superintendent of Centennial School, no experience with E-rate, and in fact she was beginning her first experience with the myriad other responsibilities of becoming a new Superintendent. Her attached affidavit describes more precisely the impediments she encountered.

Ms. Montoya received the Year 4 Funding Commitment Decision from the SLD, dated July 23, 2001. It was addressed to Terry Parrish, the consultant and contact for the SLD, but was mailed to the school address. Ms. Montoya didn't know the name, and as shown by her affidavit, her Secretary was out all month with a sickness and death in her family, the bookkeeper was on vacation, she had no one available to tell her who Terry Parrish was. August 13th Ationette Martinez was brought on as the new Technology Coordinator. Ationette also had no experience with E-rate. She did however open the letter and discover that something needed to be done.

Fortunately, on the 17th of August, a Friday, the consultant called the school to discuss future filing of the Year 5 application for E-rate. Ms. Martinez said "Oh, Terry Parrish, we've been wondering who you were." She faxed Terry the letter and by Monday the consultant had gathered the necessary evidence, written the appeal, and in the late afternoon was at the school (300 miles one way drive) to search the past files for additional documentation, to get original signatures and send the appeal out on time, we thought. Then came the last impediment. Our consultant, who is signing this letter as an attestation to all of this document, erred.

"In June, I helped with another appeal to the SLD for another school on a different issue. The letter we were appealing was dated June 7th, so the appeal was due July 7th. (30 days). As we were very hastily gathering and preparing documentation for the appeal at issue herein, I had in mind the Centennial School letter dated July 23rd, and said to myself the appeal is due August 23rd. It was just a brain hiccup on my part as consultant. I forgot to do the "30 days hath September, April, June, etc., etc". It was 31 days. This was not the fault of the schools. Please do not have them pay this hefty price for my mistake. I should add that as for myself, I and another person I hire to assist me, help several small, generally poor, rural schools through the very complex E-rate process. We charge a very low rate. We do it because we think it is important. We can do it because I work on other grants and technology projects with many of the same schools which allows me to do the E-rate for them also. Please grant them an affirmative answer."

Affidavit of:



Terry Parrish, Strategist

Communications Technology Management, LLC

September 24, 2001

3. The question presented for review. When the FCC and SLD are making decisions on E-rate applications, is the objective of acting in the Public Interest an adequate reason to allow a one day waiver of the 30 day rule? We think so. It is a USAC's Form 470 Certification Page, the reason for our appeal initially, which gives the FCC guidance to answer the question presented. Therein the FCC set its criteria for approving applications for E-rate funding. In the small print following the signature portion of the sheet, in paragraph three the FCC states:

"The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest." (My emphasis, see attached signature sheet).

The objective is Public Interest, the method is the Rules. There are no differences between two parties in this case, which is where the rules would normally be sure to protect both interests. The one day error does not bind or delay the process significantly. Rather this appeal is a question of whether the method is more important, or the objective.

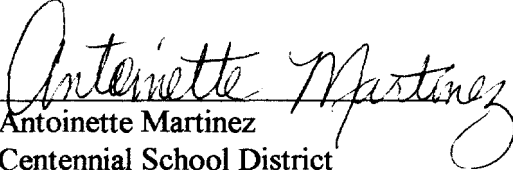
The question is whether this application is in the public interest. Absolutely. The applicant Centennial School District, is a poor, rural, school and seeks funding for both traditional and emerging competitive telecommunications service providers. This is the essence of the 1996 Telecommunications Act and its Universal Service funding requirements. The public interest is best served by funding this application.

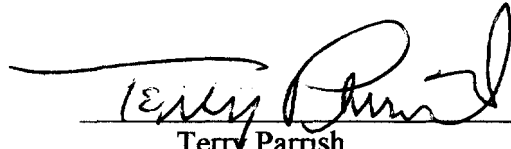
4. Relief sought. The USAC Administrator's Decision on Appeal (attached) rejected our appeal because "your appeal was received more than 30 days after the date that the relevant Funding Commitment Letter was issued. The FCC rules do not permit the SLD to consider your appeal." This appeal is based upon the letter we received from the USAC. Based on the above quote we are seeking a waiver of one day of the FCC rule which does not permit the SLD to review our appeal. We are asking the FCC to authorize the SLD to review our appeal which it received one day late. In the alternative and if it is appropriate, we request the FCC to also review and approve our appeal which is attached, and return it to the SLD with directions for the SLD to continue to review our appeal or for the SLD to approve it.

Relevant statutory or regulatory provision pursuant to which such is sought. The regulatory provision is contained within the attached Administrators Decision on Appeal. It states: "If you wish to continue this process, you may submit a new appeal, stating the impediment to your filing your appeal within the original time, to the FCC. . ."

As a final matter. We ask that the FCC recognize that this appeal is written by non-attorneys, and pray you afford us as liberal construction of the FCC rules and appeals as this process will allow.

To the best of our knowledge, all of the information set forth herein is true and correct. We sincerely thank you for your consideration and ask that you give us an affirmative answer.


Antoinette Martinez
Centennial School District


Terry Parrish
Communications Technology Mgmt, LLC

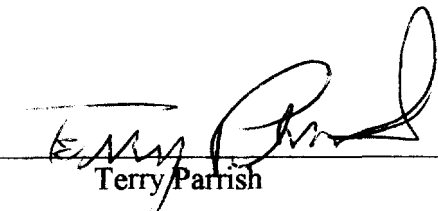
Attachments:

USAC Administrator's Decision on Appeal
Signature page from Form 470
Copy of appeal and attachments sent to SLD August 23rd 2001
Affidavit of Angela Montoya, Superintendent of Centennial School District

A copy of this request for review has also been served on the USAC Administrator on this date

Sept 24, 2001.

Copy of Letter of Appeal to FCC
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981


Terry Parrish



Centennial School District R-1

P.O. Box 350, San Luis, CO 81152

(719) 672-3691

Pam Herrmann, Superintendent

Cynthia S. Devereaux, President
Julio F. Madrid, Secretary/Treasurer
Richard Romero, Member

Charles (Chuck) Manzanares, Vice President
Theresa K. Maes, BOCS Representative

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September 21, 2001

To Federal Communications Commission:

Please accept this letter as an appeal request regarding our E-Rate Funding for the 2000-2001 school year. Let me begin by explaining the chain of events that have taken place at Centennial since last year.

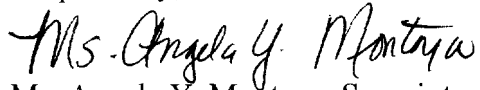
Pam Hermann the former Superintendent of Centennial School District left Centennial on June 23, 01. I was officially hired and begin working July 1, 01. On the day that I walked in, the bookkeeper, administrative secretary and receptionist were all gone. The Bookkeeper resigned from her position along with the Superintendent effective July 1, 01. The Administrative Secretary had gone with her husband (who was flown out Flight for Life) and was with him for the remainder of the month until he died on July 24, 01. Basically, this did not place the Administrative Secretary back in the building until August 13, 01. The only other secretary in the office was on a three-week vacation and was unavailable for me until the last week in July. In brief, support staff was unavailable for the first three weeks of my employment.

This meant that inquiries on resources, mail, budget, grants, and so forth was limited to say the least. When the secretary returned from her vacation, I soon found that inquiries with her were limited, simply because she had not worked directly with the former Superintendent. It wasn't until our **new** technology coordinator came in (which by the way did not happen until August 13, 01) that E-Rate Funding was starting to unlock keys to who Terry Parrish was and answered my question to mail that was coming to our district under his name (which by the way, the secretary did not know who he was nor did she know what he did). Once I put the coordinator on the E-Rate hunt and finding out whom Terry Parrish was everything started coming together.

In brief, the time spent in being unaware may have hindered our E-Rate Funding tremendously, however this letter is being sent as a part of the number of impediments that may have hurt our E-Rate Funding. Please take this letter into consideration, before affecting our E-Rate funding altogether.

Thank you for your time and consideration regarding this matter.

Respectfully,

A handwritten signature in black ink that reads "Ms. Angela Y. Montoya". The signature is written in a cursive, flowing style.

Ms. Angela Y. Montoya, Superintendent
Centennial School District RE-1



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal

August 27, 2001

Terry Parrish
Centennial School District R-1
909 North Main Street
San Luis, CO 81152

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SEP 25 2001

FCC MAIL ROOM

Re:	Application Number:	234281
	Funding Year	2001-2002
	Date of Issuance of Form 471	
	Certification- Rejection Letter:	July 23, 2001
	Date Appeal Received:	August 23, 2001

Our records show that your appeal was received more than 30 days after the date your Funding Commitment Decisions Letter was issued (see dates above). The Federal Communications Commission (FCC) rules require applicants to submit appeals so USAC/SLD receives them within 30 days of the date that the relevant Funding Commitment Decision Letter was issued. (See "SLD Procedure for Post-Commitment Appeals" at <http://www.sl.universalservice.org/apply/10procpast.asp>.) The FCC rules do not permit the SLD to consider your appeal. If you wish to continue this process, you may submit a new appeal, stating the impediment to your filing your appeal within the original time, to the FCC at the following address:

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

Schools and Libraries Division
Universal Services Administrative Company

Post-It Fax Note	7671	Date	9/5/01	# of pages	1
To	Terry Parrish	From	Terry Parrish		
Co./Dept.		Co.			
Phone #		Phone #	719-672-3190		
Fax #	303-651-7227	Fax #			

Box 125 - Correspondence Unit, 80 South Jct
Visit us online at: <http://www>

CTM
File

August 20, 2001

FROM: Terry Parrish, Contact Person
Centennial School District R-1
909 North Main Street
San Luis, CO 81152

TO: Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

1. Dear Representative,

This is a LETTER OF APPEAL - for Centennial School District R 1, Entity Number 142400
Regarding a Year 4 Funding Commitment Decision.

The SLD has assigned an **APPEAL CASE NUMBER 58629**
Form 470 Application Number **814140000328194**
and subsequent Form 471 Number 234281

The decision was not to fund any of the FRNs. The explanation was "The FRN references a Form 470 which has not been certified."

2. FROM: Contact Information:

Terry Parrish

15715 Parrish Road

Berthoud, CO 80513

Telephone (303)665-3420

Fax (303)651-7227

E-mail

parrish@direcpc.com

3. This letter is an APPEAL of the decision above based upon two distinctly different, but each independently appropriate reasons.

First, we are certain the appropriate certification was sent and have the Postal Return Receipt card from the SLD to prove it. None the less, the SLD's processes associated with Certification led us to think that our 470's had been certified.

Second, our school submitted two 470s in year four, one of which was certified while the one being appealed herein was not. Since the Certification portion has no effect on the correctness and validity of the essential information on a Form 470, we believe the certification page the should suffice to cover the entire 470 process. Regardless, we have searched the web for any time limit on submitting the 470 Certification and found none, so we have attached a new form 470 Certification for the respective year four 470. This should complete the SLD files for audit purposes, and allow us to move forward in funding our service needs.

4. At issue are all of the FRN's associated with Form 471 Application Number 234281
FRN's are: 604659, 606171, 606216, 606257, 606287, 606316.

5. This is the fourth year which Centennial School District has made application for funds to the SLD. In the first three years we were successful, albeit working our way through a very complex and constantly changing process. Realization of funding came through diligence, many telephone calls to the SLD who have answered a myriad of our questions, and carefully creating a paper trail of our activities. We appreciate that the process has also been very complex for the SLD staff, as they have had to alter the SLD processes and implement new forms to meet audit and accounting requirements. Please know that we have not taken the process lightly and consider the funding an essential enhancement to our educational opportunities in a very poor rural community. To our school, the \$34,000 at issue is a big deal. There are two solid reasons to approve our appeal.

FIRST, we are certain the appropriate certification was sent to the SLD, but don't know what happened to it afterwards. Fortunately, we sent the signature page "return receipt requested" as recommended by the SLD to prove it was received. (copy attached) We have no way of knowing what happened to it when it got to the SLD, and had no reason to suspect that our Form 470 would not be Certified.

The SLD's processes associated with Certification led us to think that our 470's had been certified. We received a "Form 470 Receipt Notification Letter" dated December 18th, which among other things stated that the SLD had NOT yet received our signed Certification page. Not surprising since we had only sent it on the 11th, during the Christmas rush. When the 28 day waiting period was finished we filled out our Form 471. The Box below is from the associated form 471.

FRN: 806216	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 814140000328194
13. SPIN: 143002487	14. Service Provider Name: CenturyTel of Eagle, Inc.
15. Contract Number: MTM	16. Billing Account Number: 719-672-3691
17. Allowable Contract Date: 01/08/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: A	22. Block 4 Worksheet No.: 253829
23a. Monthly Charges: \$1,736.06	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,736.06	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$20,832.72	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$20,832.72	
23j. % discount (from Block 4): 80	
23k. Funding Commitment Request (23i x 23j): \$16,666.18	

When you get to the Form 471 Block 5, your beginning filling in service data. First you fill in box 11 with the category of service. Next you enter the 470 Application Number. There is a pause while the computer checks for a valid 470 Application Number, and the 470 allowable contract date. If you either make a type-0 inputting the number, or if 28 days have not passed since the posting date of the 470, the SLD computer will not let you go further. We entered the

correct 470 application number as you can see. If 28 days have passed without the SLD receiving the 470 Certification page, why didn't the computer check the Application Status on the 470, stop us at the time and tell us why? A combination of the computer accepting the 470 number, along with receiving a 471 approval and certification letter, left us absolutely no reason to think the 470 certification had never been posted.

The SECOND reason to approve our appeal is that the SLD has a Form 470 Certification page on a different Form 470. Our school district posted two 470's this year. Why two? Because two years ago a representative at the SLD 800 number recommended that we post our internal wiring applications separate from our basic service applications. The reason was to keep from holding up the funding process for basic services during the time while the final percentage level was set for internal wiring. It made sense to us since that was exactly what had happened to us during year two.

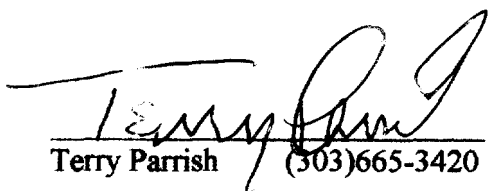
Of our two FY4 - 470's, the one for internal wiring was certified (470 Application Number 178790000328214, copy of front page attached) while the 470 for basic services being appealed herein (814140000328194) was not. Since the Certification portion has no effect on the correctness and validity of the essential information on a Form 470, but rather is to assure we are authorized to post a 470 (which is after all only a wish list) we believe the certification page the SLD has received on one 470 should suffice to cover the entire 470 process.

We do however understand the SLD's need to complete its own audit requirements and can understand that a certification form needs to be placed in each of the files for completeness. We have searched the web for any time limit on submitting the 470 Certification and found none, so we have attached a new form 470 Certification for the respective year two 470. This should complete the SLD files for audit purposes, and allow us to move forward in funding our service needs.

As a last element for discussion, we realize that there are bugs to be worked out when implementing any new system, especially one as complex as this. Making it more complex is not the solution. When the SLD found, apparently only recently according to the July 23rd funding non Commitment Letter, that the 470 had no certification page, why didn't they call us or send a letter. We would have quickly remedied the problem. Instead we have been forced into a time consuming process of appeal which is delaying access to essential educational services.

Thank you for your consideration. This school serves a very poor community and region, the type that the Universal Service Fund was set up to help support. An affirmative decision is vital to us. I welcome a call if you have further questions.

Sincerely,



Terry Parrish (303)665-3420

Enclosures

Copy of postal Domestic Return Receipt
New Signed Form 470 Certification
Front page of other 470 showing it is CERTIFIED

Entity Number: 142400
Contact Person: Terry Parrish

Applicant's Form Identifier: 001
Phone Number: 303-651-1872

FCC Form

Approved by OMB
3060-0806

470

Schools and Libraries Universal Service
Program Description of Services Requested
and Certification Form

Form 470 Application Number: 814140000328194

19. The applicant includes: (Check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☒ individual technology plans for using the services requested in the application
- b. ☐ higher-level technology plans for using the services requested in the application
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed status, check both a and b):

- a. ☒ Technology plan(s) has/have been approved by a state or other authorized body
- b. ☐ Technology plan(s) will be approved by a state or other authorized body.
- c. ☐ The application requests basic local and long distance telephone service only; no technology plan needed.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person	<i>Antoinette Martinez</i>	26. Date	8-20-2001
27. Printed name of authorized person	Antoinette Martinez		
28. Title or position of authorized person	Technology Coordinator		
29. Telephone Number	(719) 672-3691		

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SLD FORM 470
C/O MS. SMITH
3833 GREENWAY DRIVE
LAWRENCE, KS 66046

4a. Article Number

7099 3220 0001 9409 7165

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

DEC 13 2000

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

x Mike Smith

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

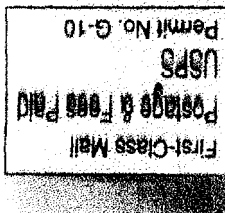
Thank you for using Return Receipt Service.

0513+8713

CENT 2001

TERY PARRISH
15715 PARRISH ROAD
BRIGHTON, COLORADO 80513

● Print your name, address, and ZIP Code in this box ●



UNITED STATES POSTAL SERVICE

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

(School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 178790000328214	←
Applicant's Form Identifier: 2001-2	
Application Status: CERTIFIED	← THE OTHER 470
Posting Date: 12/18/2000	
Allowable Contract Date: 01/15/2001	
Certification Received Date: 12/21/2000	

1. Name of Applicant: CENTENNIAL SCHOOL DISTRICT R 1			
2. Funding Year: 07/01/2001 - 06/30/2002		3. Your Entity Number 142400	
4. Applicant's Street Address, P.O.Box, or Route Number			
a. Street 909 N MAIN STREET			
City SAN LUIS	State CO	Zip Code 5Digit 81152	Zip Code 4Digit
b. Telephone number (719) 672-3691		c. Fax number (719) 672-3345	
d. E-mail Address			
5. Type Of Applicant (Check only one box)			
<input type="checkbox"/> Library (including library system, library branch, or library consortium applying as a library)			
<input type="checkbox"/> Individual School (individual public or non-public school)			
<input checked="" type="checkbox"/> School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)			
<input type="checkbox"/> Consortium (intermediate service agencies, states, state networks, special consortia)			
6a. Contact Person's Name: Terry Parrish			
6b. Street Address, P.O.Box, or Route Number (if different from item 4)			